(4)

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR
Writ petition No. /2006
P.R.No. 1363/2006

PETITIONER

1) Mrs. Padma Ghosh W/o Mr. H.D. GoshAged about 43 years, Pblich Health Sister Tutor, Posted at General Nursing Training Centre, Raipur Chhattisgarh.

2) Mrs. M. Gyanik, W/o Mr. N.K. Gyanik, Aged about 45 years, Sister Tutor, Posted at G.N.M. Training Centre, Raipur Chhattisgarh.

3) Mrs. S. Singh W/o Mr S.C. Singh aged about 40 years, Sister Tutor, posted at D.H.S. Raipur Chhattisgarh.

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4) Mrs. I.M. Das W/o Mr. M. Das Aged about 44 years, Sister Tutor, Posted at G.N.M. Training Centre, Raipur Chhattisgarh.

5) Mrs. J. Daniel W/o Mr. A.S. Denial Aged about 39 years, Sister Tutor, Posted at G.N.M. Training Centre, Raipur Chhattisgarh.

6) Mrs K. Vaishnav W/o Mr. L.L. Vaishnav aged about 38 years, Sister Tutor posted at G.N.M. Training Centre, Raipur Chhattisgarh.

7) Mrs. S. Thomas W/o Mr. M. Thomas aged about- 40 years, Sister Tutor, Posted at Drd. Bheem Rao Ambedkar Hospital, Raipur, Chhattisgarh.

8) Mrs. S.D. Bogi, W/o Mr. D. Bhogi Aged about 42 years, Staff Nurse,

Posted at Dr. Bheem Rao Ambedkar Hospital, Raipur, Chhattisgarh.

9) Mrs. Shipra Dey W/o Mr. N.Dey Aged about 47 years, Staff Nurse, Posted at Dr. Bheem Rao Ambedkar Hospital, Raipur, Chhattisgarh.

10) Mrs. S. Wyeliffe W/o Mr. K. Wyeliffe aged about- 43 years, Staff Nurse, Posted at Dr. Bheem Rao Ambedkar Hospital, Raipur, Chhattisgarh.

VERSUS

RESPONDENTS

1) State of Chhattisgarh through Secretary, Public Health & Family Welfare Department Government of Chhattisgarh, Mantralaya D.K.S. Bhawan, Raipur Chhattisgarh.

2) Government of Madhya Pradesh, through Secretary Public Health and Family Welfare Department Vallabh Bhawan, Bhopal (M.P.)

3) Director Health Services, Government of M.P. Satpuda Bhawan, Bhopal (Madhya Pradesh)

4) Director Health Services, Government of Chhattisgarh, Mantralaya, D.K.S. Bhawan, Raipur, Chhattisgarh.

(7) (2)

FEB 2016

READER NO. 10
CHHATTISGARH

WRIT PETITION UNDER ARTICLE 226 OF CONSTITUTION OF INDIA.

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 2516/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.5.2006

Shri Anupam Dubey, Advocate for the petitioners.

Shri Ashutosh Singh Kachwaha, Govt.Adv. for the State.

Heard.

The petitioners, who are working in the Department of Public Health & Family Welfare, State of Chhattisgarh on various posts, have preferred this writ petition with a prayer to issue writ of mandamus directing the respondents to grant central pay scale w.e.f. 1.1.1986 and revised 5th pay scale w.e.f. 1.1.1996 and further respondents be directed to grant allowances accordingly.

Admittedly, the petitioners are the employees of the State Government and 4th & 5th pay commissions were for the Central Government employees, how the petitioners are entitled for those pay scales being the State Government employees is not mentioned in the petition. Moreover, it is settled law that no writ of mandamus can be issued to the Government to grant a particular pay scale except on the ground if the similar situated persons are getting any pay scale and same is denied to the petitioners, then of-course they are entitle for parity under Article 14 of the Constitution of India. It has not been mentioned that whether the State Government of Chhattisgarh or erstwhile State of M.P. have ever taken a decision to grant the 4th or 5th pay scale to its employees, therefore, the writ petition is devoid of any merit, as the same lacks in material particulars, same is liable to be dismissed and it is hereby dismissed.

In view of this order, I.A. No.4935/06 stands disposed of.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

[पीछे देखिये